

Historic, Archive Document

Do not assume content reflects current scientific knowledge, policies, or practices.

LEGISLATIVE HISTORY

Public Law 741--80th Congress

Chapter 604--2d Session

S. 1493

TABLE OF CONTENTS

Digest of Public Law 741	1
Index and Summary of History on S. 1493	1

VETERANS' PREFERENCES. Amends the Veterans' Preference Act of 1944 so as to provide that any recommendation by the Civil Service Commission, submitted to any Federal agency, or the basis of the appeal of any preference eligible, employee or former employee, shall be complied with by such agency.

INDEX AND SUMMARY OF HISTORY OF S. 1493

June 23, 1947	S. 1493 was introduced by Senator Langer and was referred to the Senate Committee on Civil Service. Print of the bill as introduced.
July 21, 1947	Senate Committee reported S. 1493 without amendment. Senate Report 636. Print of the bill as reported.
July 23, 1947	Senate discussed and passed S. 1493 as reported. Later it was reconsidered and passed over.
January 12, 1948	S. 1493 was passed over upon request.
February 2, 1948	S. 1493 passed the Senate as reported.
February 3, 1948	S. 1493 was referred to the House Committee on Post Office and Civil Service. Print of the bill as referred.
April 26, 1948	House Committee reported S. 1493 without amendment. House Report 1817. Print of the bill as reported.
June 8, 1948	S. 1493 was discussed and passed the House as reported.
June 22, 1948	Approved. Public Law 741.

IN THE SENATE OF THE UNITED STATES

JUNE 23 (legislative day, APRIL 21), 1947

Mr. LANGER introduced the following bill; which was read twice and referred to the Committee on Civil Service

A BILL

To amend section 19 of the Veterans' Preference Act of June 27, 1944 (58 Stat. 387), and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the final period in section 19 of the Veterans' Prefer-
4 ence Act of 1944 (58 Stat. 387), be changed to a semicolon
5 and that the following be added thereto: "*Provided*, That
6 any recommendation by the Civil Service Commission, sub-
7 mitted to any Federal agency, on the basis of the appeal of
8 any preference eligible, employee or former employee, shall
9 be complied with by such agency."

80TH CONGRESS
1ST SESSION

S. 1493

A BILL

To amend section 19 of the Veterans' Preference Act of June 27, 1944 (58 Stat. 387), and for other purposes.

By Mr. LANGER

JUNE 23 (legislative day, April 21), 1947

Read twice and referred to the Committee on Civil Service

Calendar No. 665

80TH CONGRESS {
1st Session }

SENATE

{ REPORT
No. 636

AMENDING SECTION 19 OF THE VETERANS' PREFERENCE ACT OF JUNE 27, 1944, RELATING TO APPEALS OF PREFERENCE ELIGIBLES

JULY 21 (legislative day, JULY 16), 1947.—Ordered to be printed

Mr LANGER, from the Committee on Civil Service, submitted the following

R E P O R T

[To accompany S. 1493]

The Committee on Civil Service, to whom was referred the bill (S. 1493) to amend section 19 of the Veterans' Preference Act of June 27, 1944 (58 Stat. 387), and for other purposes, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

GENERAL STATEMENT

The purpose of S. 1493 is to provide the machinery within the Civil Service Commission for making the Commission's findings in cases of discharge, suspension, payless furlough, reduction in rank or compensation or preference eligibles, binding upon the respective departments and agencies.

As was the case in reporting H. R. 966, the committee takes the position that enactment of veterans' preference bills is little better than a waste of time unless there is an enforcement influence involved.

S. 1493 provides the enforcement device for such cases as are mentioned above. The Congress has witnessed the many instances of administrative evasion of the intent to establish and maintain and improve preferential treatment for veterans. The Congress has begun a streamlining of preferences in general in the 1944 Veterans' Preference Act by excluding peacetime veterans who at that time had not established veterans preference. In bills of the Eightieth Congress, both Senate and House, committees have acted favorably on H. R. 1389 to remove preference from certain persons who served in the Coast Guard temporary reserves. The treatment therefore is not direct in stipulating more specifically those who shall have preferential treatment and thereupon to make such preference more binding. The committee is well aware of the opportunities seized

upon by certain operating and personnel groups who find ample time to seek and locate any loopholes in the letter of the law which can become the means for evasion and avoidance of the spirit of the Veterans' Preference Act. There is subjoined an expression from the Civil Service Commission on S. 1493, dated July 17, 1947:

Further reference is made to your letter of June 25, 1947, requesting a report of the Commission's views on S. 1493, a bill to amend section 19 of the Veterans' Preference Act of June 27, 1944 (58 Stat. 387), and for other purposes.

At the present time section 14 of the Veterans' Preference Act provides merely that when an administrative officer has made a decision to discharge, suspend for more than 30 days, furlough without pay or reduce in rank or compensation any preference eligible, such preference eligible shall have the right to appeal to the Civil Service Commission, and after investigation and consideration of the evidence submitted the Civil Service Commission shall submit its findings and recommendations to the proper administrative officer and shall send copies of the same to the appellant or his designated representative.

The enactment of S. 1493 would change the present law by making it mandatory for the administrative officer to take such action as the Civil Service Commission recommends. Such an amendment raises the legal question whether the Commission would not in effect be exercising the power of appointment within a Government department or agency, a power which is regarded as the constitutional prerogative of the head of the department or agency. In this connection, your attention is invited to Report No. 315, Eightieth Congress, first session, on H. R. 968, in which this constitutional question is discussed in detail.

If the Congress resolves the doubt as to the constitutional question involved, however, the Commission favors the enactment of S. 1493.

We have not been advised as to the relationship of the proposed legislation to the program of the President.



Calendar No. 665

80TH CONGRESS
1ST SESSION

S. 1493

[Report No. 636]

IN THE SENATE OF THE UNITED STATES

JUNE 23 (legislative day, APRIL 21), 1947

Mr. LANGER introduced the following bill; which was read twice and referred to the Committee on Civil Service

JULY 21 (legislative day, JULY 16), 1947

Reported by Mr. LANGER, without amendment

A BILL

To amend section 19 of the Veterans' Preference Act of June 27, 1944 (58 Stat. 387), and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 *That the final period in section 19 of the Veterans' Prefer-*
4 *ence Act of 1944 (58 Stat. 387), be changed to a semicolon*
5 *and that the following be added thereto: "Provided, That*
6 *any recommendation by the Civil Service Commission, sub-*
7 *mitted to any Federal agency, on the basis of the appeal of*
8 *any preference eligible, employee or former employee, shall*
9 *be complied with by such agency."*

Calendar No. 665

80th CONGRESS
1st SESSION

S. 1493

[Report No. 636]

A BILL

To amend section 19 of the Veterans' Preference Act of June 27, 1944 (58 Stat. 387), and for other purposes.

By Mr. LANGER

JUNE 23 (legislative day, April 21), 1947

Read twice and referred to the Committee on Civil Service

JULY 21 (legislative day, July 16), 1947

Reported without amendment

13. MEXICAN FENCE. Passed as reported S.J.Res. 46, to provide for a fence along the Mexican border to provide protection from animal diseases, etc. (pp. 10016-7).

14. RESEARCH LAND. Passed without amendment H.R. 2511, to authorize sale of a 2-acre tract of land in the Agricultural Research Center, Beltsville, to the Queens Chapel Methodist Church (p. 10018). This bill will now be sent to the President.

15. FOREST SERVICE LAND. Passed with amendment S. 1505, to direct transfer to Boise, Idaho, of 9 lots of a 5-acre tract of land donated to the U.S. by Boise and now used by Forest Service as a site for central repair shops (pp. 10018-9).

16. RECLAMATION. Passed without amendment S. 1639, authorizing repair and rehabilitation of irrigation works damaged by flood and prevention of flood damage in Fort Sumner irrigation district (pp. 10021-2).

17. FOREIGN AFFAIRS. Passed without amendment S. 1574, to authorize any Government agency to furnish or to procure and furnish materials, supplies, and equipment to public international organizations (pp. 10035-6).

18. PERSONNEL RETIREMENT. Passed without amendment H.R. 1995, to amend the Civil Service Retirement Act to provide for return of the amount of deductions from compensation of any employee who is separated from service or transferred to a position not within the purview of the Act before completing 10 years of service (pp. 10044-5). This bill will now be sent to the President.

19. VETERANS PREFERENCE. Passed without amendment S. 1493, to amend the Veterans' Preference Act so as to require Federal agencies to comply with CSC recommendations on appeals of preference eligibles. The vote was then reconsidered at the request of Sen. Taft, Ohio, and the bill was passed over (p. 10045).
Passed without amendment S. 1494, to amend the Veterans' Preference Act so as to make it mandatory for administrative officers to take corrective action recommended by CSC in the case of appeals of preference eligibles (p. 10042).
Passed as reported S. 999, to amend the Veterans' Preference Act so as to limit service-connected disability preference to disabilities compensable under laws administered by VA, War, or Navy Departments; provide that preference points shall be added only to earned ratings which meet the minimum qualification rate for a particular examination; and provide that in examinations for guards, elevator operators, messengers, and custodians, competition shall be restricted to persons entitled to preference (p. 10008).

20. BILLS PASSED OVER. The following bills were discussed and passed over:
Renount Service. H.R. 3484, to transfer this Service to the Department of Agriculture from the War Department (pp. 1004-5).
Grain bonus. S. 669, to provide for payment of the 30-cent wheat and corn bonus on grain produced and sold between Jan. 1, 1945, and Apr. 18, 1946 (p. 9997).
Subsistence expense. S. 544, to increase the subsistence-expense allowances (pp. 9999-10000).
Appropriations. S. Con. Res. 6, to include all general appropriation bills in one consolidated bill (p. 10006).
Research; Information. S. 493, to provide for coordination of agencies disseminating technological and scientific information (pp. 10006-7).
Forests. H.J.Res. 205, to permit timber sales in the Tongass National Forest, Alaska, in such a way as to facilitate pulp production (pp. 10008-9, 10024-5).
Veterans' Preference. S. 416, to extend veterans' preference benefits to widowed mothers of certain ex-servicemen (p. 100017).
Farm training. H.R. 2181, relating to institutional on-farm training for veterans (pp. 10027, 10058).

21. NATIONAL FORESTS. The Agriculture and Forestry Committee approved (but did not actually report) H.R. 1826, making it a petty offense to enter any national forest land closed to the public (p. D590).

22. MARKETING. The Agriculture and Forestry Committee approved (but did not actually report) H.R. 4124, to amend the peanut marketing quota provisions of the Agricultural Adjustment Act; and H. R. 452, to amend the Agricultural Marketing Agreement Act (p. D590).

23. RESEARCH. The Agriculture and Forestry Committee approved (but did not actually report) H.R. 4110, to amend the Research and Marketing Act so as to provide that not less than 20% of the funds "appropriated", rather than those "authorized to be appropriated", for general research shall be used by the State agricultural experiment stations for conducting marketing research projects approved by the USDA (p. D590).

24. LATIN AMERICA. Passed without amendment S. 1678, to provide for the reincorporation of the Institute of Inter-American Affairs (p. 10052-3). This bill will now be sent to the President.

25. LANDS. The Interstate and Foreign Commerce Committee reported without amendment H.R. 3043, to transfer the Crab Orchard Creek land utilization project and the Ill. Ordnance Plant to the Interior Department for use as a wildlife management area, except that lands not required for such area may be leased under certain conditions (S.Rept. 701) (p. 9993).

26. MINERALS. The Public Lands Committee reported without amendment H.R. 1602, to stimulate exploration, development, and production from domestic mines by continuing for 2 years the premium price plan for copper, lead, and zinc through RFC (S.Rept. 709) (p. 9993).

HOUSE

27. FARM LOANS. The Veterans Affairs Committee reported without amendment H.R. 4309, to amend title III of the Servicemen's Readjustment Act of 1944 pertaining to "Loans for the purchase or construction of homes, farms, and business property, so as to provide more adequate and effective farm-loan benefits (H.Rept. 1039) (p. 9989). The Daily Digest states that this bill would authorize "Farm Credit Administration to make direct loans to World War II veterans (p. D591).

28. INDEPENDENT OFFICES APPROPRIATION BILL, 1948. Received the conference report of this bill, H.R. 3839 (p. 9979-81).

29. COMMITTEES. Rep. Wat Arnold, Mo., was elected to the Agriculture Committee vice Rep. Clevenger, Ohio, resigned and Rep. Clevenger was elected to the Appropriations Committee vice Rep. Jones, Ohio, resigned (p. 9943).
Reps. Pickett (Tex.), and Mack (Wash.) were elected to the Public Works Committee (pp. 9942-3).

30. ACCOUNTING. The Expenditures in the Executive Departments Committee reported with amendments S. 1350, which authorizes GAO to relieve disbursing and other accountable officers for physical loss or deficiency of Government funds, vouchers, checks, etc., under certain conditions not involving fault or negligence (H.Rept. 1040) (p. 9989).

The Expenditures in the Executive Departments Committee reported with amendment S. 907, to provide for the orderly transaction of public business in the event of the death, resignation, or separation from office of regional disbursement officers of the Treasury Department (H.Rept. 1046) (p. 9989).

Mr. O'CONOR. The present law provides a limit of 5 years. Under this bill, those who have served between 5 and 10 years would be eligible. The result would be a saving to the country, because otherwise such persons would have a right to receive an annuity.

Mr. TAFT. Would they receive interest?

Mr. O'CONOR. Yes; at 4 percent.

Mr. TAFT. I have no objection.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the bill (H. R. 1995) was considered, ordered to a third reading, read the third time, and passed.

SALE OF LAND IN POLSON, MONT.

The Senate proceeded to consider the bill (S. 1507) authorizing the sale of undisposed of lots in Michel addition to the town of Polson, Mont., which had been reported from the Committee on Public Lands with an amendment, to strike out all after the enacting clause and to insert the following:

That the Secretary of the Interior is authorized and directed to sell, under existing rules and regulations, the undisposed of lots in blocks 3, 4, and 5 in the Michel addition to the city of Polson, Mont., said lots being embraced in the trust allotment of Angeline Michel, deceased, Flathead allottee No. 1914.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PAY OF FEDERAL EMPLOYEES OF THE PANAMA RAILROAD

The Senate proceeded to consider the bill (S. 1416) to amend section 203 of the Federal Employees Pay Act of 1945, which was read, as follows:

Be it enacted, etc., That paragraph 1, section 203, of the Federal Employees Pay Act of 1945 be amended by adding after "(U. S. C., 1940 ed., title 5, sec. 673c)" the following: "Provided further, That such employees of the Panama Railroad Company on the Isthmus of Panama shall have their basic rates of pay adjusted in accordance with the act of March 28, 1934 (title II, sec. 23)."

Mr. WHERRY. May we have an explanation?

Mr. JOHNSON of Colorado. The bill affects only the railroad employees of the Panama Railroad in the Canal Zone.

Mr. WHERRY. I have no objection.

The PRESIDENT pro tempore. The Senator from Colorado has an amendment at the desk.

Mr. JOHNSON of Colorado. Mr. President, I call up the amendment. It is a technical amendment that does not affect the scope of the bill.

The PRESIDENT pro tempore. The clerk will state the amendment.

The LEGISLATIVE CLERK. On page 1, line 8, after the word "adjusted", it is proposed to insert "(so as to provide rates not lower than necessary to restore the full weekly earnings of such employees in accordance with the full-time weekly earnings under the respective wage schedules in effect on June 30, 1945, plus any increases in such rates granted subsequent to such date)."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CLAIMS FOR PREFERENCE UNDER CIVIL SERVICE LAW

The Senate proceeded to consider the bill (S. 1493) to amend sec. 19 of the Veterans' Preference Act of June 27, 1944, and for other purposes, which was read, as follows:

Be it enacted, etc., That the final period in section 19 of the Veterans' Preference Act of 1944 (58 Stat. 387), be changed to a semi-colon and that the following be added thereto: "Provided, That any recommendation by the Civil Service Commission, submitted to any Federal agency, on the basis of the appeal of any preference eligible employee or former employee, shall be complied with by such agency."

Mr. LUCAS. Mr. President, will the Senator from North Dakota give us an explanation of the bill?

Mr. LANGER. Mr. President, this provides for a case where a veteran or any other civil-service employee having a preference right makes an appeal, and the Civil Service Commission makes an order. It provides that the order shall be complied with by the Federal agencies.

The PRESIDENT pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. TAFT subsequently said: Mr. President, I ask unanimous consent to return to order of business 665, Senate bill 1493. I find that I have been requested by the Senator from Minnesota to object to the bill, and I do object to it now.

The PRESIDENT pro tempore. Without objection, the votes by which the bill was ordered to be engrossed for a third reading, read the third time, and passed, are reconsidered, and the bill will be passed over.

COMMEMORATIVE OF SERVICES OF GEN. MAURICE ROSE

The bill (S. 1614) to authorize the coinage of 50-cent pieces to commemorate the patriotic service of Gen. Maurice Rose, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That to commemorate the life and the gallant military services of the late Gen. Maurice Rose, who sacrificed his life for the American victory against the Nazis in World War II, and to aid in constructing and equipping the General Rose Memorial Hospital, in Denver, Colo., as a national patriotic shrine, there shall be coined by the Director of the Mint not exceeding 500,000 silver 50-cent pieces of standard size, weight, and fineness and of a special appropriate design to be fixed by the Director of the Mint, with the approval of the Secretary of the Treasury, but the United States shall not be subject to the expense of making the models for master dies or other preparations for their coinage.

Sec. 2. The coins herein authorized shall be issued at par and only upon the request of the General Rose Memorial Hospital Association founded for the purpose of perpetuating the patriotic services of Gen. Maurice Rose and the construction and maintenance of said hospital as a patriotic shrine.

Sec. 3. Such coins may be disposed of at par or at a premium by such banks or trust companies, or other financial institutions, selected by the General Rose Memorial Hospital Association, and all proceeds thereof shall be used to maintain and preserve as a suitable memorial the General Rose Hospital, at Denver, Colo., and as may be decided upon by the General Rose Hospital Association.

Sec. 4. The coins authorized herein shall be issued in such numbers, and at such times, as shall be requested by the General Rose Memorial Hospital Association, and upon payment to the United States of the face value of such coins: *Provided*, That none of such coins shall be issued after the expiration of the 5-year period immediately following the enactment of this act.

Sec. 5. That all laws now in force relating to the subsidiary silver coins of the United States and the coining or striking of the same; regulating and guarding the process of coinage; providing for the purchase of material, and for the transportation, distribution, and redemption of the coins; for the prevention of debasement or counterfeiting; for security of the coin; or for any other purposes, whether said laws are penal or otherwise, shall, as far as applicable, apply to the coinage herein directed.

Mr. TAFT. Mr. President, I do not know that I care to object to any of these coinage bills, but it seems to me the practice is going to an extent that we cannot justify. Of course, many want special coins struck off because they make money out of them. They get the 50-cent piece and sell it for a dollar, and those who get the benefits, who are running the shows or celebrations, no matter how meritorious, make a profit of 50 cents. So long as that is being done, we are going to be flooded with applications of this kind. I think that if we send them all over to the House, the House will turn them all down, but I think it is a little unjust to put the burden on the House.

Mr. LUCAS. Mr. President, I agree with the Senator that if we start such a procedure as that contemplated by bills of this character on the calendar there will never be an end to it, because every community throughout the Nation will come forward and ask for this kind of preference so far as coinage is concerned. I think it is an exceedingly bad precedent.

Mr. TAFT. If we should pass a law providing that any profit should be returned to the Government, and the communities would merely have the benefit of having a silver 50-cent piece to commemorate some important occasion, I do not think there would be any such demand for the coinage. It is because a profit is to be made on the sale of the coins that a large demand is made for them.

Mr. FLANDERS. Mr. President, the suggestion was made that if we once started this practice there would be no end to it. I wish to say that we have already started it.

With regard to the cost to the Government, there is no cost, because the seigniorage element in the coinage of silver more than reimburses the cost, and provides the Government a comfortable profit on the transaction.

I may say that personally I am disturbed by the fact that we did begin this practice. I held my thumb in the dike as long as I could, but it got too cold or too hot for me, I forgot which, the dike

is broken, and the bills are coming through.

There is no good reason for refusing any of them if we permit one to go through. The Senate has already passed three such bills. I do not see how it can refuse to pass the other six, and leave the matter in the hands of the President of the United States.

COIN COMMEMORATING ONE HUNDREDTH ANNIVERSARY OF THE ORGANIZATION OF MINNESOTA AS TERRITORY

The bill (S. 1304) to authorize the coinage of 50-cent pieces in commemoration of the one hundredth anniversary of the organization of Minnesota as a Territory of the United States was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, in commemoration of the one-hundredth anniversary of the organization of Minnesota as a Territory of the United States, there shall be coined not to exceed 150,000 silver 50-cent pieces of standard size, weight, and composition, and of a special appropriate design to be fixed by the Director of the Mint, with the approval of the Secretary of the Treasury; but the United States shall not be subject to the expense of making the necessary dies and other preparations for such coinage.

SEC. 2. The coins herein authorized shall bear the date of the year in which they are minted, shall be legal tender to the amount of their face value, and shall be issued only upon the request of the Minnesota Historical Society, the duly authorized representative of the State of Minnesota, or its legal representatives, upon the payment by it of the par value of such coins. Such coins shall be issued in such numbers and at such times during the calendar year 1949 as shall be requested by such Minnesota Historical Society and may be disposed of at par or at a premium, and the net proceeds shall be used for the observation of the centennial as directed by the Minnesota Historical Society or its legal representatives.

SEC. 3. All laws now in force relating to the subsidiary silver coins of the United States and the coining or striking of the same; regulating and guarding the process of coinage; providing for the purchase of material, and for the transportation, distribution, and redemption of coins; for the prevention of debasement or counterfeiting; for the security of the coins, or for any other purpose, whether such laws are penal or otherwise, shall, so far as applicable, apply to the coinage herein authorized.

MOUNT RUSHMORE NATIONAL MEMORIAL

The bill (S. 1042) to provide for the completion of Mount Rushmore National Memorial and the financing thereof by issuance of a special coin was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That to complete the Mount Rushmore National Memorial and to commemorate the lives and perpetuate the ideals of the four Presidents of the United States there sculptured—George Washington, Thomas Jefferson, Abraham Lincoln, and Theodore Roosevelt—there shall be coined by the Director of the Mint not to exceed 2,000,000 silver 50-cent pieces of standard size, weight, and fineness and of a special appropriate design carrying a replica of the memorial to be fixed by the Director of the Mint, with the approval of the Secretary of the Treasury and the Secretary of the Interior. The United States shall not be subject to the expense of making the models for

master dies or other preparations for this coinage but may accept the services to be provided by the Mount Rushmore National Memorial Society therefor and may accept such other services as may be contributed in carrying out the provisions of this Act.

SEC. 2. The coins herein authorized shall be issued at par, and only upon the request of the Mount Rushmore National Memorial Society, incorporated under the laws of the State of South Dakota.

SEC. 3. Such coins may be disposed of at par or at a premium by banks or trust companies selected by the said Mount Rushmore National Memorial Society or at the studio of the Mount Rushmore National Memorial, and all proceeds therefrom shall be used for the following purposes: (1) To provide additional parking space in the Mount Rushmore Reserve and adequate comfort and sanitary facilities for visitors; (2) to complete the monument as originally conceived by the sculptor Gutzon Borglum as specified by the models in the administration building maintained by the National Park Service at the memorial, such completion to be under the direction of Lincoln Borglum under the general supervision of the National Park Service; (3) to remove debris at the base of Rushmore Mountain; all such expenditures and construction to be under the supervision of the National Park Service.

SEC. 4. All laws now in force relating to the subsidiary silver coins of the United States and the coining or striking of the same; regulating and guarding the process of coinage; providing for the purchase of material; and for the transportation, distribution, and redemption of coins; for the prevention of debasement or counterfeiting; for the security of the coins, or for any other purpose, whether such laws are penal or otherwise, shall, so far as applicable, apply to the coinage herein authorized.

SEC. 5. The coins authorized herein shall be issued in such numbers and at such times as shall be requested by the Mount Rushmore National Memorial Society and upon payment to the United States of the face value of such coins: *Provided*, That none of such coins shall be issued after the expiration of a 10-year period immediately following the enactment of this Act.

OREGON TRAIL COMMEMORATIVE COINS

The bill (S. 722), to authorize the issuance of Oregon Trail commemorative 50-cent pieces to the Oregon Trail Monument Association, Idaho Unit, Inc., was announced as next in order.

The PRESIDENT pro tempore. Is there objection to the consideration of the bill?

Mr. FULBRIGHT. Mr. President, I wish to add a word to what has been said about these coinage bills. The Senator from Vermont a few days ago opposed all these bills, if I understood him correctly. I thought he was getting ready to object today. Is it his position now that since we passed one for Wisconsin we should pass every one that is submitted?

Mr. FLANDERS. Mr. President, I shall be glad to submit a statement of the circumstances regarding the interesting situation in which we find ourselves.

The Committee on Banking and Currency held up all these bills. The House passed a bill for the issuance of a coin to celebrate the hundredth anniversary of the admission of Wisconsin into the Union. The Committee on Banking and Currency voted to report the bill. Having done that, it did not seem to me to be right, just, or defensible to hold up the other bills.

Mr. FULBRIGHT. It was done over the opposition of the Senator from Vermont, as I recall.

The PRESIDENT pro tempore. Is there objection to the consideration of Senate bill 722?

There being no objection, the bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That notwithstanding the provisions of the act entitled "An act to prohibit the issuance and coinage of certain commemorative coins, and for other purposes," approved August 5, 1939, the Director of the Mint is authorized and directed to coin and to issue to any duly authorized representative of the Oregon Trail Monument Association, Idaho Unit, Inc., the unissued balance of the 50-cent pieces authorized to be issued by the act of May 17, 1926 (44 Stat. 559), providing for the coinage and issuance of Oregon Trail commemorative 50-cent pieces.

SEC. 2. Except as otherwise provided in this act, the provisions of such act of May 17, 1926, shall apply to the coining and issuing of 50-cent pieces issued under authority of this act.

COIN COMMEMORATING TWO HUNDREDTH ANNIVERSARY OF FOUNDING OF READING, PA.

The bill (S. 342) to authorize the coinage of 50-cent pieces in commemoration of the two hundredth anniversary of the founding of the city of Reading, Pa., was announced as next in order.

Mr. FULBRIGHT. I object.

Mr. MYERS. Mr. President—

Mr. FULBRIGHT. I object to all of them.

The PRESIDENT pro tempore. The Senator from Pennsylvania is recognized.

Mr. MYERS. Mr. President, objection has been made to Senate bill 342. Let me say that in the beginning of this session I introduced this bill, and when I was informed by the chairman of the subcommittee of the Committee on Banking and Currency that certain bills had been reported favorably by the committee, I asked if my bill could be reported, and it was reported by the subcommittee. Thereafter I was informed by the chairman of the subcommittee that when the bills went to the full committee they were all referred back, and that medals were to be struck instead of 50-cent pieces. Thereafter I did not press my bill. But when I saw on the calendar a few days ago three or four similar bills providing for the coinage of special 50-cent pieces—

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. MYERS. I am happy to yield.

Mr. FULBRIGHT. I did not realize that all these bills were on the calendar. I ask unanimous consent that we return to all these coinage bills that have been passed. I think this practice is silly. I did not know we were getting down to villages and individuals. I remember the argument that was advanced by the senior Senator from Wisconsin, that they were going to limit it to only hundredth anniversaries of the entrance of States into the Union. I was not on the subcommittee, and this is the first I have heard of this bill for the issuance of a coin to commemorate the founding of Reading, Pa. How many cities are there

Kelly Field, Tex.: Helicopter engine testing facilities; \$152,000.

Fort Knox, Ky.: Family quarters and utilities; \$4,595,300.

War Department New Receiving Station, La Plata Md.: Family quarters and utilities; \$52,330.

Fort Leavenworth, Kans.: Printing plant, library addition, cell-locking system, electrical supply and distribution facilities; \$1,714,500.

Camp Lee, Va.: Family quarters, bachelor quarters, barracks, and utilities; \$4,202,600.

Letterman General Hospital, San Francisco, Calif.: Family quarters and utilities; complete plans and specifications for construction of a new 1,500-bed general hospital, including all necessary auxiliary facilities; \$1,392,820.

Fort Lewis, Wash.: Family quarters and utilities; \$4,244,450.

Lexington Signal Depot, Ky.: Garage and equipment storage facilities; \$25,000.

Lockbourne Army Airfield, Ohio: Family quarters and utilities; \$739,840.

Lowry Field, Colo.: Family quarters and utilities; \$1,310,800.

MacDill Field, Fla.: Family quarters, control tower, crash station, and utilities; \$1,030,380.

Madigan General Hospital, Fort Lewis, Wash.: Family quarters and utilities; \$565,000.

Malta Test Station, N. Y.: Hydraulic test laboratory; \$205,000.

Marietta Army Airfield, Ga.: Control tower; \$54,500.

Fort Mason, San Francisco Port of Embarkation, Calif.: Family quarters and utilities; \$401,750.

Fort McPherson, Ga.: Family quarters and utilities; \$541,350.

Fort George G. Meade, Md.: Family quarters and utilities; \$995,800.

Mountain Home Army Airfield, Idaho: Family quarters and utilities; \$940,880.

Muroc Army Airfield, Calif.: Family quarters, rocket static test facilities, control tower, all-altitude speed course and utilities; \$4,057,300.

Fort Myer, Va.: Replace field commissary refrigerator facilities; \$108,000.

Oakland Army Base, San Francisco Port of Embarkation, Calif.: Family quarters, barracks, and utilities; \$907,580.

Oliver General Hospital, Augusta, Ga.: Family quarters and utilities; \$231,000.

Percy Jones General Hospital, Battle Creek, Mich.: Family quarters and utilities; \$231,000.

Picatinny Arsenal, N. J.: Research and development facilities for high explosives, completed bombs, rockets, and rocket powders, and laundry; \$1,978,800, of which \$1,228,800 is authorized to be expended during the fiscal year 1948.

Presidio of San Francisco, Calif.: Family quarters and utilities; \$709,750.

Randolph Field, Tex.: Family quarters, control tower, and utilities; \$1,465,300.

Rapid City Army Airfield, S. Dak.: Development of facilities for VVHB, including family quarters, and utilities; \$6,501,970.

Fort Riley, Kans.: Family quarters and utilities; \$826,300.

Roswell Army Airfield, N. Mex.: Training facilities; \$95,790.

Sacramento Signal Depot, Calif.: Irrigation and sprinkling; \$47,970.

San Antonio Army Airfield, military training center, Texas: Family quarters and utilities; \$1,310,800.

Scott Field, Ill.: Family quarters and utilities; \$1,316,500.

Selfridge Field, Mich.: Family quarters, crash-truck station, and utilities; \$800,840.

Fort Sheridan, Ill.: Family quarters and utilities; \$360,900.

Fort Sill, Okla.: Family quarters and utilities; \$765,000.

Camp Stoneman, San Francisco port of embarkation, Calif.: Family quarters and utilities; \$878,570.

Tinker Field, Okla. (including Oklahoma City Air Depot): Jet engine test facilities; \$362,000.

Two Rock Ranch station, Calif.: Family quarters, water pipe line, and utilities; \$149,800.

United States Military Academy, West Point, N. Y.: Family quarters and utilities; complete plans and specifications for a new academic building; \$8,249,750.

Valley Forge General Hospital, Phoenixville, Pa.: Family quarters and utilities; \$231,000.

Vint Hill Farms station, Va.: Family quarters and utilities; \$1,319,100.

Watertown Arsenal, Mass.: Magnesium shop building; \$87,000.

White Sands Proving Ground, N. Mex.: Family quarters, laboratory, storage and testing facilities for rocket development, administration facilities, central fire station, hospital expansion, and utilities; \$3,887,430. **Williams Field, Ariz.**: Single-engine gunnery range; \$51,500.

Wingate Ordnance Depot, N. Mex.: Additional well; \$20,000.

Fort Worth Army Airfield, Tex.: Family quarters, ammunition storage, training facilities, and utilities; \$2,394,770.

Wright Field, Ohio: Rotor wing-testing facilities, testing laboratory facilities, central heating plant, and scavenging building for wind tunnels; \$2,038,500.

Yuma test branch of the Engineer Board, Arizona: Family quarters, bachelor quarters, infirmary, post exchange, roads, and utilities; \$488,850.

Various Army Air Forces stations: Removal of flight hazards, and construction of night lighting systems, low approach instrument landing systems, high frequency direction finding systems, radio range stations, sprinkler systems, and fire-prevention facilities; \$5,085,500.

OUTSIDE CONTINENTAL UNITED STATES

Whittier, Alaska: Development of port facilities; \$5,332,277.

Army Airfield at Mile 26, near Fairbanks, Alaska: Family quarters, barracks, and utilities; \$2,021,118.

Ladd Field, Alaska: Family quarters, bachelor quarters, barracks, operational facilities, hospital, community facilities, and utilities; \$20,694,850, of which \$11,694,850 is authorized to be expended during the fiscal year 1948.

Fort Richardson-Elmendorf Field, Alaska: Family quarters, bachelor quarters, barracks, storage facilities, communication facilities, school, motor pool facilities, and utilities; \$10,190,375.

Adak Army Base and Airfield, Aleutian Islands: Family quarters, barracks, communication facilities, and utilities; \$4,334,600.

Army airfield, Fort Yukon, Alaska: Establishment of fighter field with necessary operational facilities, bachelor quarters, barracks, mess hall, and utilities; \$4,160,950.

Army airfield, Nenana, Alaska: Operational facilities, barracks, and utilities; \$505,000.

Adak ACS station, Aleutian Islands: Family quarters, operational buildings, garages, and utilities; \$950,050.

Anchorage ACS station, Alaska: Family quarters and utilities; \$514,280.

Big Delta ACS station, Alaska: Family quarters and utilities; \$57,410.

Ketchikan ACS station, Alaska: Family quarters, operational buildings, and utilities; \$114,160.

Cathedral Bluff ACS station, Alaska: Family quarters and utilities; \$56,160.

Fort Randall ACS station (Cold Bay), Alaska: Family quarters and utilities; \$57,410.

Juneau ACS station, Alaska: Family quarters and utilities; \$56,160.

Northway ACS station, Alaska: Family quarters and utilities; \$56,160.

Naknek ACS station, Alaska: Family quarters, operational buildings, garage, and utilities; \$79,760.

Skagway ACS station, Alaska: Family quarters, operational buildings, and utilities; \$107,750.

Lena Point ACS station, Alaska: Operational buildings, quarters, and utilities; \$46,000.

ACS station between Haines and Juneau, Alaska (location to be determined): Operational buildings, quarters, and utilities; \$46,000.

Bethel ACS station, Alaska: Operational buildings; \$30,000.

Kodiak ACS station, Alaska: Operational buildings; \$14,420.

Nome ACS station, Alaska: family quarters, operational building, and utilities; \$77,944.

Sitka ACS station, Alaska: Operational building and garage; \$8,600.

New Tripler General Hospital, Territory of Hawaii: Family quarters, bachelor quarters, and utilities; \$3,472,960.

Hickam Field, T. H.: Family quarters (conversions) and barracks (reconstruction); \$2,242,200.

Fort Armstrong, T. H.: Telephone-exchange building; \$55,000.

Helemano, T. H.: Family quarters and utilities, \$473,415.

Waipio, T. H.: Family quarters and utilities; \$207,760.

Fort DeRussey, T. H.: Family quarters and utilities; \$528,220.

Army Ground Force bases, Marianas: Housing, storage, technical and operational facilities, and utilities; \$5,983,720.

Army airfields, Marianas: Housing, storage, technical and operational facilities, and utilities; \$12,270,677.

Clark-Stotsenberg area, Philippine Islands (Army Security Agency): Barracks and utilities; \$669,300.

Kadena Field, Okinawa: Barracks and utilities; \$3,681,000.

Sukiran, Okinawa: Barracks and utilities; \$1,320,350.

Albrook Field, C. Z.: Sewerage; \$310,400.

France Field, C. Z.: Family quarters and utilities; \$172,120.

Howard Field, C. Z.: Operational facilities, supply and maintenance building, and rehabilitation of gasoline storage and distribution system; \$714,800.

Fort Davis, C. Z.: Family quarters and utilities; \$1,753,800.

Fort Brooke, P. R.: Family quarters, water storage, and utilities; \$324,100.

Fort Buchanan, P. R.: Bachelor quarters, water storage, refrigeration plant, and utilities; \$1,267,000.

Borinquen Field, P. R.: Water storage and distribution facilities; \$165,000.

Henry Barracks, P. R.: Barracks, water storage, and utilities; \$716,200.

Salina training area, Puerto Rico: Rifle range and training area; \$82,400.

San Jose Island, Republic of Panama: Family quarters, utilities, and dock; \$221,830.

Panama Canal Zone and vicinity: Regional project for malaria control; \$195,400.

Keflavik Airport, Iceland: Development of Keflavik Airport; \$10,352,100.

Harmon Field, Newfoundland: Family quarters, operational facilities, laundry, and dry-cleaning facilities, warehouses, and utilities; \$12,087,100.

Frobisher Bay (Upper Frobisher), Canada: Family quarters and utilities; \$396,905.

Fort Chimo, Canada: Family quarters and utilities; \$214,570.

Kindley Field—Fort Bell, Bermuda: Family quarters (including conversions), water evaporation building, and utilities; \$2,359,938.

Alaska: Classified installation for Army Air Forces; \$5,000,000.

Newfoundland: Two classified installations for Army Air Forces; \$3,500,000.

SEC. 2. To accomplish the above-authorized construction the Secretary of War is authorized to acquire lands and rights per-

taing thereto, or other interest therein, including the temporary use thereof, by donation, purchase, exchange of Government-owned lands, or otherwise, without regard to section 3648, Revised Statutes, as amended, in administering the provisions of the act of July 9, 1942 (56 Stat. 654; 42 U. S. C. Supp. 315q).

Sec. 3. There is hereby authorized to be appropriated, out of any money in the Treasury of the United States not otherwise appropriated, such sums of money as may be necessary toward meeting the purposes of this act, but not to exceed \$100,000,000 for public works in the continental United States during the fiscal year 1948, which includes \$5,000,000 for emergency projects within the United States as may be authorized by the Secretary of War, and \$125,000,000 for public works outside continental United States during fiscal year 1948, which includes \$20,000,000 for emergency projects outside the United States as may be authorized by the Secretary of War. With respect to projects within and without continental United States, the approximate partial cost for each project enumerated and authorized in section 1 of this act may, in the discretion of the Secretary of War, be varied upward or downward 10 percent, but the total cost of the work on the projects in continental United States authorized by this act shall not exceed \$107,280,960 and the total cost of the work outside continental United States authorized by this act shall not exceed \$140,249,699. Any such appropriation shall be available under the direction of the Secretary of War for expenses incident to construction, including administration, overhead, planning, and surveys, and shall be available until expended: *Provided*, That any work undertaken under this authorization may be prosecuted by direct appropriations, or by both direct appropriations and continuing contracts subject to the availability of subsequent appropriations: *Provided further*, That no money from current or future appropriations for the Army shall be expended for the construction of family quarters for personnel of the Army of greater net floor area in square feet per unit than the following:

For enlisted men, 1,080.

For warrant officers, flight officers, and commissioned officers of and below the rank of captain, 1,250.

For majors and lieutenant colonels, 1,400. For colonels, 1,670.

For general officers, 2,100.

For the purposes of this act, net floor area is defined as the space inside the exterior walls, excluding basement (or service space in lieu of basement), attic, garage, and porches: *Provided*, That these areas may be increased not to exceed 10 percent at activities outside the continental United States, and not to exceed 10 percent for quarters of commanding officers of stations, bases, or installations based on the normal rank of such officers: *Provided further*, That quarters for civilians shall be limited to conform to the allowances for officers or men of comparable status according to responsibility rating, and pay as determined by the Secretary of War to be appropriate.

Sec. 4. The following laws and parts of laws are hereby repealed: That part of the act of March 2, 1905 (33 Stat. 836; 10 U. S. C. 1331) reading as follows: "No military post within the United States shall be established without the express authority of Congress"; that part of the act of May 12, 1917 (40 Stat. 74; 10 U. S. C. 1333) reading as follows: "No expenditure exceeding \$5,000 shall be made upon any building or military post or grounds about the same without the approval of the Secretary of War, upon detailed estimates submitted to him"; that part of the act of February 27, 1893 (27 Stat. 484; 10 U. S. C. 1336) reading as follows: "The erection, construction, and repair of all buildings and other public structures in the Quartermaster

Corps shall, as far as may be practicable, be made by contract, after due legal advertisement"; and that part of the act of May 12, 1917 (40 Stat. 58; 24 U. S. C. 21), reading as follows: "No building or structure of a permanent nature, the cost of which shall exceed \$30,000, shall be erected for use as an Army hospital unless by special authority of Congress." Revised Statutes, 1136, as amended by section 1 of the act of February 27, 1877 (19 Stat. 242; 10 U. S. C. 1339), is hereby further amended by deleting the figure "\$20,000" and inserting the figure "\$100,000." The following parts of acts are hereby repealed, and shall not be applicable to contracts or expenditures under the appropriations "Engineer Service, Army," contained in the Military Appropriation Acts, 1946 and 1947: That part of section 1 of the act of June 25, 1910 (36 Stat. 721), which reads as follows: "Provided, That hereafter no money appropriated for military posts shall be expended for the construction of quarters for officers of the Army, or for barracks and quarters for the artillery the total cost of which, including heating and plumbing apparatus, wiring and fixtures, shall exceed, in the case of quarters of a general officer, the sum of \$15,000, of a colonel or an officer above the rank of captain, \$12,000, and of an officer of and below the rank of captain, \$9,000," as modified by section 1 of the act of February 25, 1927 (44 Stat. 1235), which reads as follows: "And provided further, That hereafter no part of this appropriation or any appropriation hereafter made shall be expended for the construction of quarters for officers of the Army in the United States or its possessions, the total cost of which, including heating and plumbing apparatus, wiring and fixtures, shall exceed in the case of an officer above the rank of captain, \$14,500, and of an officer of and below the rank of captain, \$12,500."

BILLY AND JOINT RESOLUTION PASSED OVER

The bill (S. 1493) to amend section 19 of the Veterans' Preference Act of June 27, 1944, and for other purposes, was announced as next in order.

Mr. IVES. Over.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 1356) providing for the incorporation of the Franco-American War Veterans was announced as next in order.

Mr. MAGNUSON. Mr. President, I ask that the bill go over, not that I am opposed to it, but because the Committee on the Judiciary has had difficulty in establishing a policy under which such groups would be allowed incorporation.

The PRESIDING OFFICER (Mr. Ives in the chair). The bill will be passed over.

The bill (S. 430) to amend the Civil Service Retirement Act, approved May 29, 1930, as amended, so as to make such act applicable to officers and employees of national farm loan associations and production credit associations, was announced as next in order.

Mr. TAFT. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 1557) to incorporate the Catholic War Veterans of the United States of America was announced as next in order.

Mr. MAGNUSON. I make the same objection I made to the former bill.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 1375) to incorporate the Jewish War Veterans of the United

States of America was announced as next in order.

Mr. MAGNUSON. I make the same objection.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 3978) to provide for the temporary advancement in ranks and increase in salary of lieutenants in the Metropolitan Police Force of the District of Columbia, serving as supervisors of certain squads, was announced as next in order.

Mr. AIKEN. Over.

The PRESIDING OFFICER. The bill will be passed over.

SURVEYS OF NAVIGABLE STREAMS

The bill (H. R. 3146) to amend section 3 of the Flood Control Act approved August 28, 1937, and for other purposes, was announced as next in order.

Mr. LUCAS. Over.

Mr. REVERCOMB. Would the Senator who made objection permit an explanation of the bill?

The PRESIDING OFFICER. Does the Senator from Illinois withdraw his objection temporarily?

Mr. LUCAS. I withdraw the objection temporarily.

Mr. REVERCOMB. Mr. President, at this time, under the law the Secretary of War is authorized to make surveys of navigable streams to determine whether improvements should be made upon those streams for purposes of navigation and flood control. The bill simply authorizes the Secretary of Agriculture to examine and report upon watersheds affecting such streams, so that the Congress and its committees dealing with the subject may know whether or not there is work that should be done with respect to conserving the waters, and whether legislation should be enacted with respect to water upon those watersheds affecting agriculture. At one time in the past I think such a report was made by the Secretary of Agriculture, but for some reason the provision was omitted from one of the later bills. At the present time, unless authorization bills dealing with flood control specifically authorize the Secretary of Agriculture to make surveys, they cannot be made. The bill would permit them to be made upon the request of committees dealing with the subject. In the light of that explanation, does the Senator desire to object?

Mr. LUCAS. May I inquire whether or not the Senator from West Virginia has discussed the matter with the Senator from Louisiana [Mr. OVERTON]?

Mr. REVERCOMB. Oh, yes. The bill was considered before the committee of which the Senator from Louisiana was a member. I do not have the record before me, and I do not recall the discussions that were had at the time. I note the presence in the Senate Chamber of the chairman of the subcommittee which dealt with the subject and which reported the bill. I should like to ask the Senator from Nevada whether or not the Senator from Louisiana participated in discussions of the matter.

Mr. MALONE. The Senator from Louisiana was present. This particular measure would empower the Secretary of

D I G E S T O F
C O N G R E S S I O N A L P R O C E E D I N G S
O F I N T E R E S T T O T H E D E P A R T M E N T O F A G R I C U L T U R E

OFFICE OF BUDGET AND FINANCE
Division of Legislative Reports
(For Department staff only)

Issued February 3, 1948
For actions of February 2, 1948
30th-2nd, No. 20

C O N T E N T S

Alcohol.....	27	Foreign affairs	Prices, control.....
Appropriations.....	9,40	Relief.....	Property, surplus.....
Banking and currency..	22,35	Forests & forestry..	Rationing.....
Budgeting.....	11,13	Furs.....	Regional authority.....
Civil rights.....	14	Grain.....	Remount service.....
Cooperatives.....	17	Information.....	Research.....
Debt, public.....	13	Lands.....	Roads.....
Farm income.....	24	Lands, reclamation....	Rubber.....
Farm program.....	26,39	Livestock and meat.....	Small business.....
Federal aid.....	32	Loans, farm.....	Taxation.....
Fertilizers.....	25	Oleomargarine.....	Textiles.....
Fisheries.....	31	Organization, legislative.	Tobacco.....
Flood control.....	18,30,34	Personnel.....	Transportation.....
Foreign affairs.....	5	Potatoes....	Veterans' benefits.....

HIGHLIGHTS: Senate discussed Remount Service bill. Sen. Taft recommended consolidation of appropriation bills in one. House passed income-tax reduction bill. Sen. Camper introduced bill to establish USDA Cooperatives Division. Rep. Hope introduced bill to relieve Army Secretary from National Forest Reservation Commission.

S E N A T E

1. ST. LAWRENCE WATERWAY. Continued debate on S. J. Res. 111, to authorize this project (pp. 891-911).
2. VETERANS' PREFERENCE. Passed without amendment S. 1493, to amend the Veterans' Preference Act so as to require Federal agencies to comply with Civil Service Commission recommendations on appeals of preference eligibles (p. 884).
3. FORESTS. Passed without amendment H. R. 1326, making it a petty offense to enter any national-forest land while it is closed to the public (p. 885). This bill will now be sent to the President.
4. RUBBER. Passed with amendment H. R. 2029, to provide for free importation of rubber scrap (pp. 885-6).
5. CARIBBEAN COMMISSION. Passed as reported H. J. Res. 231, to provide for U. S. membership and participation in this Commission (p. 885).
6. FOOT-AND-MOUTH DISEASE. Both Houses received the monthly report on the campaign against this disease; to Agriculture Committees (pp. 857, 975).
7. RATIONING; PRICE CONTROL. Sen. Camper inserted a letter from the Pres. of the Butler County, Kans., Farm Bureau opposing rationing and price control (p. 859).
8. TENNESSEE VALLEY AUTHORITY. Sen. McKellar inserted a history of TVA appropriations, prepared by E. W. Cooper (pp. 861-75).

9. BILLS PASSED OVER included: H. R. 3484, to transfer the Remount Service to this Department (Sen. Barkley asked that the bill go over on behalf of Sen. Thomas, Okla., and Sens. Morse, Oreg., and Robertson, Va., spoke in favor of the bill) (p. 876-7).
S. 669, to provide for payment of a 30-cent grain bonus to those who sold before the bonus was announced; at Sen. Taft's request (p. 876).
S. Con. Res. 6, to include all general appropriation bills in one consolidated general appropriation bill; at Sen. McCarran's request (p. 879).
S. 430; to make the Civil Service Retirement Act applicable to personnel of national farm loan associations (p. 884); at Sen. Taft's request
H. R. 1350, to permit department heads to specify restrictions on use or examination of records transferred to the Archivist (p. 885); Sen. Cordon's req.
S. J. Res. 164, to authorize RAGC loans to fur farmers; at Sen. Byrd's request (p. 888).

10. RESEARCH; FORESTRY. The Interior and Insular Affairs Committee agreed to report S. 134, to authorize an additional \$30 million for demonstration plants to produce liquid fuels from agricultural and forestry and other products, and
S. 1037, to revise the boundaries of the Caribou National Forest, Idaho. (p. D83).

11. LEGISLATIVE REORGANIZATION. Testifying before the Expenditures Committee, Sen. Taft "favored a change in the legislative budget, but did not think postponing the date for reporting back to the Congress on the budget would be the answer. He recommended the consolidation of the appropriation bills into one, as provided for in the Byrd-Butler bill." (p. D82.)

HOUSE

12. TAXATION. Passed, 297-120, with amendments H.R. 4790, to reduce individual income taxes for 1948 (pp. 920-60).

13. BUDGET. Rep. Norrell, Ark., discussed the President's budget and urged that the surplus receipts over expenditures be applied to reduction of the national debt (pp. 919-20).

14. CIVIL RIGHTS. Both Houses received from the President a recommendation for the establishment of a permanent Commission on Civil Rights (H.Doc. 516) (pp. 914, 960-2).

15. SURPLUS PROPERTY. Received from the War Assets Administration its report for the fourth quarter, 1947 (p. 975).

16. ST. LAWRENCE SEAWAY. Received an Erie County (N.Y.) Board of Supervisors resolution opposing this project (p. 975).

BILLS INTRODUCED

17. COOPERATIVES. S. 2107, by Sen. Capper, Kans., to establish a Division of Cooperatives in the Department of Agriculture. To Agriculture and Forestry Committee. (p. 860.)

18. FLOOD CONTROL. S. 2104, by Sen. Cordon, Ore., to provide for a preliminary examination and survey of Beaver Creek, Lincoln County, Ore., for the purpose of determining what action should be taken to control floods of such creek and to make it adequately drain the area through which it flows. To Public Works Committee. (p. 860.)

and for other purposes, was announced as next in order.

Mr. WHERRY. Over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (H. R. 84) to amend the Nationality Act of 1940 as amended, was announced as next in order.

Mr. RUSSELL. Over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 1372) authorizing the Wyandotte Tribe of Oklahoma to sell its tribal cemetery, was announced as next in order.

Mr. WHERRY. Over.

The PRESIDENT pro tempore. The bill will be passed over.

The resolution (S. Res. 150) to discharge the Committee on the Judiciary from the further consideration of Senate Resolution 116 was announced as next in order.

SEVERAL SENATORS. Over.

The PRESIDENT pro tempore. The resolution will be passed over.

RETIREMENT OF CERTAIN PERSONS IN THE BUREAU OF NARCOTICS

The bill (S. 1089) to amend the Civil Service Retirement Act of May 29, 1930, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the first section of the Civil Service Retirement Act of May 29, 1930, as amended, is amended by adding at the end thereof the following new subsection:

"(f) Any agent, agent in charge, field supervisor, district supervisor, assistant to the Commissioner, Deputy Commissioner, or Commissioner of the Bureau of Narcotics of the Department of the Treasury, who is not less than 50 years of age and has rendered 20 years or more of service in one or more of the positions enumerated, may, on his own application and with the consent of the Secretary of the Treasury, retire from the service. Any such person shall upon retirement be entitled to an immediate annuity equal to 2 percent of his average basic salary for the 5 years next preceding the date of his retirement, multiplied by the number of years of such service, not exceeding 30 years."

Mr. BYRD subsequently said: Mr. President, what action was taken with regard to Senate bill 1089?

The PRESIDENT pro tempore. The bill was passed.

Mr. BYRD. I ask for a reconsideration of the vote by which the bill was passed.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, the vote is reconsidered, and the bill will be restored to the calendar.

BILLS AND RESOLUTION PASSED OVER

The resolution (S. Res. 144) authorizing an investigation of law enforcement and police administration in the District of Columbia was announced as next in order.

SEVERAL SENATORS. Over.

The PRESIDENT pro tempore. The resolution will be passed over.

The bill (S. 48) to provide for the demonstration of public library service in areas without such service or with inadequate library facilities was announced as next in order.

Mr. WHERRY. Over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (H. R. 3051) to amend the act of July 19, 1940, and to amend section 2 and repeal the profit-limitation and certain other limiting provisions of the act of March 27, 1934, was announced as next in order.

SEVERAL SENATORS. Over.

The PRESIDENT pro tempore. The bill will be passed over.

AMENDMENT OF VETERANS' PREFERENCE ACT OF JUNE 27, 1944

The bill (S. 1493) to amend section 19 of the Veterans' Preference Act of June 27, 1944, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the final period in section 19 of the Veterans' Preference Act of 1944 (58 Stat. 387), be changed to a semi-colon and that the following be added thereto: "Provided, That any recommendation by the Civil Service Commission, submitted to any Federal agency, on the basis of the appeal of any preference eligible, employee or former employee, shall be complied with by such agency."

BILLS PASSED OVER

The bill (S. 1356) for the incorporation of the Franco-American War Veterans was announced as next in order.

Mr. CORDON. Mr. President, reserving the right to object, this bill and similar bills were before the Senate in the last session. At that time I objected to this bill and others the purpose of which was to grant national charters to veterans in specific categories. I based my objection on my belief that it is unwise to grant a Federal charter to veterans organizations unless the qualifications are such as to admit to membership any veterans of the particular war in question without reference to religion or antecedents, or without any other qualification than that the veterans served and were honorably discharged from the service. I still entertain that feeling, Mr. President. On the other hand, so far as I know, there is no objection elsewhere in this body, and if that be the case I can see no immediate object to be served in continuing to present these bills or requiring that they be presented as the original order of business, with the loss of time entailed. Therefore, although I continue to have the same feeling, I shall not object to any of the several bills on that subject.

Mr. OVERTON. Over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 430) to amend the Civil Service Retirement Act, approved May 29, 1930, as amended, so as to make such act applicable to officers and employees of national farm-loan associations and production-credit associations, was announced as next in order.

Mr. TAFT. Over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 1557) to incorporate the Catholic War Veterans of the United States of America was announced as next in order.

Mr. BALDWIN. Mr. President, this bill and two similar ones have been on

the calendar for a considerable length of time. They were on the calendar in the middle of last spring. Although they have been previously explained, I should be perfectly willing to explain them again. I think, however, in order to save our time, we might set these bills down for a definite time so they can be disposed of. I would ask, Mr. President, that the three bills referred to be made the order of business following the decision of the Senate on the St. Lawrence seaway. I am referring to the bill for the incorporation of the Franco-American War Veterans, the bill to incorporate the Catholic War Veterans, and the bill to incorporate the Jewish War Veterans.

Mr. WHERRY. That would require unanimous consent, would it not, because of the agreement under which we are now operating?

The PRESIDENT pro tempore. It would.

Mr. WHERRY. I feel that I should suggest that as soon as the St. Lawrence seaway matter is disposed of the Senator can make his request. The Senator's motion would then be in order.

The PRESIDENT pro tempore. Does the Senator from Nebraska object to the present request?

Mr. WHERRY. My feeling is that we are working on a call of the calendar under a unanimous-consent agreement. The motion is not in order unless it be agreed to by unanimous consent. There are those who would possibly like to argue the motion. In order to expedite matters I would suggest that the request be not taken up until the pending matters have been disposed of. I dislike to object to a unanimous-consent request, but, on the other hand, it might involve discussion which would delay the St. Lawrence seaway matter. After the St. Lawrence seaway debate has been concluded, the Senator's motion will be in order.

The PRESIDENT pro tempore. Objection is heard, and the bill will be passed over.

Mr. WHERRY subsequently said: If the Senator will permit me, I would like to state for the RECORD, returning to Calendar 702, Senate bill 1557, and Calendar 704, Senate bill 1375, that I have no personal objection to those bills. The ruling of the Chair was that there was objection, and for fear the Chair might have been referring to the Senator from Nebraska, I wish to say that I was referring to the procedure, in view of the unanimous-consent request under which we are laboring. But I want it perfectly understood that I am not personally objecting to either one of these bills.

The bill (S. 1375) to incorporate the Jewish War Veterans of the United States of America was announced as next in order.

SEVERAL SENATORS. Over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (H. R. 3978) to provide for the temporary advancement in ranks and increase in salary of lieutenants in the Metropolitan Police force of the District of Columbia, serving as supervisors of certain squads was announced as next in order.

a professional category. If the Administrator finds that the number of officers fixed under section 209 (c) for any grade and category (or the number of officers, including officers of the Reserve Corps, on active duty in such grade in such category, if such number is greater than the number fixed under section 209 (c)) is insufficient to meet such requirements of the Service, officers of either the Regular Corps or the Reserve Corps may be recommended for temporary promotion to such grade in such category. Any such promotion may be terminated at any time, as may be directed by the President.

(m) Any officer of the Regular Corps, or any officer of the Reserve Corps on active duty, who is promoted to a higher grade shall, unless he expressly declines such promotion, be deemed for all purposes to have accepted such promotion; and shall not be required to renew his oath of office, or to execute a new affidavit as required by the act of December 11, 1926, as amended (5 U. S. C. 21a)."

(b) Except as provided in subsection (d) of this section, no promotion shall be made under section 210 of the Public Health Service Act, as amended by this act, prior to July 1, 1948. Until that date officers of the Regular Corps may receive temporary promotions to higher grades with the pay and allowances thereof pursuant to section 210 (a) (1) of the Public Health Service Act, in force prior to the enactment of this act, notwithstanding the termination, prior to such date, of the war and of the national emergencies proclaimed by the President. Any officer holding, on June 30, 1948, an appointment pursuant to such section to a higher temporary grade shall continue in such grade until such appointment is terminated, as the President may direct.

(c) Effective as of the date of the enactment of this act, each officer of the Regular Corps on such date, in addition to the credit he has under preexisting legislation for purposes of promotion, shall be credited with 3 years of service.

(d) (1) Officers of the Regular Corps who have, or who on or before July 1, 1948, will have, the years of service prescribed in paragraph (2) of section 210 (d) of the Public Health Service Act, as amended by this act, for promotion to the senior assistant, full, or senior grade, shall be recommended to the President for such promotion, to be effective as of July 1, 1948, whether or not vacancies exist in such grade. Such promotions shall be made without examination, except that no promotions shall be made to the senior grade or any grade immediately below a restricted grade until the officer is found qualified for promotion pursuant to subsection (c) of section 210 of the Public Health Service Act, as amended by this act. No promotion shall be made pursuant to this paragraph to any grade in any professional category if such grade has been made a restricted grade pursuant to subsection (b) of section 210 of the Public Health Service Act, as amended by this act. For purposes of seniority an officer promoted under this paragraph shall be credited with the years of service in the grade to which promoted equal to the excess of his years of service on the date of promotion over the years of service required for promotion to such grade under paragraph (2) of section 210 (d) of the Public Health Service Act, as amended by this act.

(2) Officers in the junior assistant grade in the Regular Corps who have, or who on or before July 1, 1948, will have four or more years of service in the junior assistant grade, shall be recommended to the President for promotion to the assistant grade, to be effective as of July 1, 1948, without examination and whether or not vacancies exist in such grade. For purposes of promotion and seniority in grade, an officer promoted under this paragraph shall be credited with the years of service equal to the excess

of his years of service on the date of promotion over 4 years.

(e) For purposes of seniority, any officer of the Regular Corps of the Public Health Service on the date of enactment of this act shall be considered as having had service in the grade which he holds on such date equal to the excess of the service credited to him for promotion purposes over the length of service required under section 210 (d) (2), as amended by this act, for promotion to such grade.

(f) Except as provided in subsection (d) of this section the provisions of this section shall not, prior to July 1, 1948, affect the term or tenure of office (including any office held under temporary promotion) of any commissioned officer of the Service in office upon the date of the enactment of this act.

SEC. 7. (a) The first sentence of subsection (b) of section 211 of such act is amended to read: "A commissioned officer shall be retired on the first day of the month following the month in which he attains the age of 64 years; and a commissioned officer may be retired by the Administrator, and shall be retired if he applies for retirement, on the first day of any month after completion of 30 years of active commissioned service in the Service."

(b) Paragraph (2) of subsection (c) of such section is amended to read:

"(2) The retired pay to which an officer, who has served 4 years or more as Surgeon General, Deputy Surgeon General, or Assistant Surgeon General, is entitled shall be based on the pay of the highest grade held by him as such Surgeon General, Deputy Surgeon General, or Assistant Surgeon General."

(c) Subsection (d) of such section is amended by changing the words "for age" to "under the provisions of subsection (b)."

(d) Section 211 of such act is further amended by adding at the end thereof the following new subsections:

"(g) An officer of the Regular Corps in the senior assistant grade in a category in which the full grade is a restricted grade, who has had 20 years of active commissioned or non-commissioned service in the Service (including any active Federal service in the armed forces) or has attained the age of 50, or an officer of the Regular Corps in the full grade in a category in which the senior grade is a restricted grade, who has had 25 years of such service or has attained the age of 55, may be retired in accordance with regulations of the Administrator if he has not been found pursuant to section 210 (c) to be qualified for promotion to the full grade or the senior grade, as the case may be. The retired pay of any such officer shall be at the rate of 2½ percent of his active-duty pay at the time of retirement for each complete year, not in excess of 30, of such service.

"(h) Retired pay pursuant to this section shall be terminated if the officer receiving such pay is recalled to active duty or, in the case of an officer of the Reserve Corps, if he is found to have recovered from his disability. Such pay shall be suspended for any period during which an officer fails without good cause to comply with a request by the Surgeon General that he submit to a medical examination, and shall be terminated if such failure continues for 6 months."

SEC. 8. Title II of such act is further amended by adding at the end thereof the following new section:

"TRAINING OF OFFICERS

"SEC. 218. (a) Appropriations available for the pay and allowances of commissioned officers of the Service shall also be available for the pay and allowances of any such officer on active duty in the Regular Corps while attending any educational institution and, subject to regulations of the President and to the limitation prescribed in such appropriations, for payment of his tuition, fees, and other necessary expenses incident to such attendance.

"(b) Any officer whose tuition and fees while attending an educational institution are paid pursuant to subsection (a) shall be obligated to reimburse the Service for such tuition and fees if he voluntarily leaves the Service within 2 years after the cessation of such attendance."

SEC. 9. (a) Section 706 of the act of July 1, 1944 (58 Stat. 682, 713), as amended, is amended to read:

"SEC. 706. In the case of any commissioned officer of the Service appointed prior to July 1, 1944, there shall be included, in determining the amount of retired pay pursuant to subsection (b) (1) of section 211, and in determining whether he should or may be retired pursuant to subsection (b) of such section, noncommissioned service in the Public Health Service, as well as all commissioned service."

(b) Title VII of such act is amended by changing sections 711 and 712, and references thereto, to section 713 and 714, respectively, and by inserting immediately after section 710 the following new sections:

"APPOINTMENTS TO HIGHER GRADES FOR MENTAL HEALTH AND HOSPITAL CONSTRUCTION ACTIVITIES

"SEC. 711. Twenty officers may be appointed to grades in the Regular Corps of the Service above that of senior assistant, but not to a grade above that of director, to assist in carrying out the purposes of this act with respect to mental health and 20 officers may be appointed to such grades in the Regular Corps to assist in carrying out title VI of this act. Officers appointed pursuant to this section in any fiscal year shall not be counted as part of the 10 percent of the original appointments authorized to be made in such year under section 207 (b); but they shall for all other purposes be treated as though appointed pursuant to such section 207 (b). The 20 officers authorized by this section to be appointed to carry out the purposes of this act with respect to mental health and the 20 officers so authorized to be appointed to carry out title VI shall be reduced by the number of officers appointed under clause (A) and the number appointed under clause (B), respectively, of section 208 (b) (2) of this act, in effect prior to the enactment of this section.

"CERTAIN RETIREMENTS FOR DISABILITY

"SEC. 712. An officer of the Reserve Corps of the Public Health Service who was separated from the Service or returned to inactive status by reason of a disability incurred in line of duty after December 6, 1941, and prior to July 1, 1944, and who would have been eligible for retirement by reason of such disability if section 211 of the Public Health Service Act had been in effect on and after December 7, 1941, shall be considered as though he had been retired at the time of such separation or return to inactive service. Any such officer, and any other officer of the Reserve Corps retired for a disability which was incurred in line of duty after December 6, 1941, and prior to July 1, 1944, shall be entitled, for periods both before and after the date of the enactment of this section, to the same retired pay to which he would have been entitled if such section 211, as amended simultaneously with the enactment of this section, had been in effect on and after December 7, 1941."

"BILLS AND RESOLUTION PASSED OVER

The bill (S. 1481) to authorize the Board of Commissioners of the District of Columbia to establish daylight-saving time in the District was announced as next in order.

Mr. WHERRY. Over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (H. R. 2298) to amend the Interstate Commerce Act, as amended,

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 3, 1948

Referred to the Committee on Post Office and Civil Service

AN ACT

To amend section 19 of the Veterans' Preference Act of June 27, 1944 (58 Stat. 387), and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the final period in section 19 of the Veterans' Prefer-
4 ence Act of 1944 (58 Stat. 387), be changed to a semicolon
5 and that the following be added thereto: "Provided, That
6 any recommendation by the Civil Service Commission, sub-
7 mitted to any Federal agency, on the basis of the appeal of
8 any preference eligible, employee or former employee, shall
9 be complied with by such agency."

Passed the Senate February 2, 1948.

Attest:

CARL A. LOEFFLER,

Secretary.

80TH CONGRESS
2D SESSION **S. 1493**

AN ACT

To amend section 19 of the Veterans' Preference Act of June 27, 1944 (58 Stat. 387), and for other purposes.

FEBRUARY 3, 1948

Referred to the Committee on Post Office and Civil Service

AMENDING SECTION 19 OF THE VETERANS' PREFERENCE ACT OF JUNE 27, 1944 (58 STAT. 387)

APRIL 26, 1948.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. REES, from the Committee on Post Office and Civil Service, submitted the following

R E P O R T

[To accompany S. 1493]

The Committee on Post Office and Civil Service, to whom was referred the bill (S. 1493) to amend section 19 of the Veterans' Preference Act of June 27, 1944 (58 Stat. 387), and for other purposes, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

STATEMENT

This bill proposes an amendment to section 19 of the Veterans' Preference Act of 1944, approved June 27, 1944 (58 Stat. 387), by providing that the findings of the Civil Service Commission in connection with any appeal to the Commission under the provisions of the Veterans' Preference Act shall be complied with by the executive departments and agencies.

The attention of the committee has been directed many times to decisions of the Civil Service Commission which have been disregarded by the executive departments and agencies. It is obvious that the Veterans' Preference Act is a nullity unless provision is made to make effective the decisions of the Civil Service Commission with respect to appeals processed by veterans and other employees under the provisions of the Veterans' Preference Act.

During the first session of the Eightieth Congress, Public Law 325 was approved which provides that the decisions of the Civil Service Commission in connection with appeals by veterans processed under section 14 of the Veterans' Preference Act shall be binding upon the executive departments and agencies. This bill extends the provisions of that law to include any appeal processed under the Veterans'

Preference Act so that a decision favorable to a veteran or other employee will be enforceable.

All of the veterans' organizations endorse the proposed legislation and the Civil Service Commission in reporting on the bill stated the following: "If the Congress resolves the doubt as to the constitutional question involved, the Commission favors the enactment of S. 1493." This constitutional question was raised by the Civil Service Commission in connection with Public Law 325, Eightieth Congress. However, that law has been in operation since August 4, 1947 and no question of its constitutionality has been raised. The committee reaffirms its position which was expressed in House Report No. 315, Eightieth Congress, first session, in connection with such constitutional question which is as follows:

The Civil Service Commission relies upon an opinion by the Attorney General, dated August 31, 1871, which states in part:

"Congress cannot restrict the choice of the head of a Department to the point where he would have no choice, but it is not unconstitutional for an examining board to furnish a certain number of names obtained by a test from which the head of a Department shall make selections."

The committee considers this opinion by the Attorney General inapplicable to the present legislation and believes that the legislation is constitutional.

The committee believe the enactment of the bill will be in the best interests of veterans and others whose civil service rights are now adversely affected because of the lack of authority possessed by the Civil Service Commission in connection with enforcing its findings on appeals under the beneficial provisions of the Veterans' Preference Act of 1944, as amended.

CHANGES IN EXISTING LAW

In compliance with paragraph 2a of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as introduced, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, existing law in which no change is proposed is shown in roman):

SECTION 19 OF THE VETERANS' PREFERENCE ACT OF 1944 (58 STAT. 387)

SEC. 19. It shall be the authority and duty of the Civil Service Commission in all cases under the classified civil service to make and enforce appropriate rules and regulations to carry into full effect the provisions, intent, and purpose of this Act and such Executive orders as may be issued pursuant thereto and in furtherance [thereof.] thereof: *Provided, That any recommendation by the Civil Service Commission, submitted to any Federal agency, on the basis of the appeal of any preference eligible, employee or former employee, shall be complied with by such agency.*



Union Calendar No. 865

80TH CONGRESS
2D SESSION

S. 1493

[Report No. 1817]

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 3, 1948

Referred to the Committee on Post Office and Civil Service

APRIL 26, 1948

Committed to the Committee of the Whole House on the State of the Union
and ordered to be printed

AN ACT

To amend section 19 of the Veterans' Preference Act of June 27,
1944 (58 Stat. 387), and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the final period in section 19 of the Veterans' Prefer-
4 ence Act of 1944 (58 Stat. 387), be changed to a semicolon
5 and that the following be added thereto: "*Provided*, That
6 any recommendation by the Civil Service Commission, sub-
7 mitted to any Federal agency, on the basis of the appeal of
8 any preference eligible, employee or former employee, shall
9 be complied with by such agency."

Passed the Senate February 2, 1948.

Attest:

CARL A. LOEFFLER,

Secretary.

80TH CONGRESS
2D SESSION

S. 1493

[Report No. 1817]

AN ACT

To amend section 19 of the Veterans' Preference Act of June 27, 1944 (58 Stat. 387), and for other purposes.

FEBRUARY 3, 1948

Referred to the Committee on Post Office and Civil
Service

APRIL 26, 1948

Committed to the Committee of the Whole House on
the State of the Union and ordered to be printed

DIGEST OF
CONGRESSIONAL PROCEEDINGS
OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
Division of Legislative Reports
(For Department staff only)

Issued June 9, 1948
For actions of June 8, 1948
80th-2nd, No. 103

CONTENTS

Alcohol.....	46	Golden nematode.....	21	Prices, parity.....	30
Appropriations....	17, 24, 26, 32, 45	Grains.....	38	Property, surplus.....	17
Assistant secretaries....	27	Health.....	6	Relief.....	35
Census.....	5	Housing.....	12, 37	Selective service.....	3
Education.....	41	Insect control.....	8	Social security.....	18
Electrification, rural...	29	Labor, farm.....	18	Soil conservation.....	19
Expenditures.....	44	Lands.....	23	Statistics.....	5
Farm program.....	13, 25	Lands, forest.....	9, 28	Territories & possessions.....	11
Flood control.....	2, 43	Lands, reclamation.....	14, 48	Tobacco.....	30
Foreign affairs.....	6	Loans, farm.....	18	Trade, foreign....	1, 15, 22, 40
Relief.....	39	Minerals.....	10, 34	Veterans' benefits.....	7
Forests and forestry....	9, 20	Penalty mail.....	33	Water utilization.....	42
		Personnel.....	4, 16, 17, 36	Weed killer.....	47

HIGHLIGHTS: House committee reported appropriation bill which abolishes War Assets Adm. House passed bill for eradication of cattle grubs. House agreed to resolution asking USDA to warn against weed killer. House passed bill to repeal certain provisions of Penalty Mail Act. House passed bill continuing Federal administration of ACP. House passed bill to control golden nematodes. Senate committee reported bill to extend Trade Agreements Act for 1 yr. Senate debated selective-service bill. Senate committee approved omnibus flood-control bill. Rep. Abernethy spoke in favor of long-range farm program. Sen. Cordon introduced (for himself and 27 others) bill to authorize FWA to coordinate Government activities in disaster relief. Rep. Wolcott introduced substitute housing bill.

SENATE

1. RECIPROCAL TRADE AGREEMENTS. The Finance Committee reported with amendment H.R. 6556, to extend for one year the Reciprocal Trade Agreements Act (S.Rept. 1558) (pp. 7466, 7546).
2. FLOOD CONTROL. The "Daily Digest" states that a subcommittee of the Public Works Committee agreed to report to the full committee H.R. 6419, the flood-control omnibus bill (p. D609).
3. SELECTIVE SERVICE. Continued debate on S. 2655, the selective service bill (pp. 7467-543).
4. PERSONNEL. The Post Office and Civil Service Committee reported with amendment S. 2279, to amend the Civil Service Retirement Act so as to extend benefits to employees who were involuntarily separated during the period from July 1, 1945, to July 1, 1947, after having rendered 25 years of service, but prior to attainment of age 55 (S. Rept. 1537) (p. 7465).
5. STATISTICS. Concurred in House amendments to S. 554, to provide for rescheduling of the censuses of manufacturers, business, and mineral industries, and to provide for the taking of a census of transportation (p. 7469). This bill will

now be sent to the President.

6. WORLD HEALTH ORGANIZATION. Both Houses agreed to the conference report on S. J. Res. 98, to provide for U.S. participation in the World Health Organization (pp. 7510, 7626).
7. VETERANS' BENEFITS. The Post Office and Civil Service Committee ordered reported (but did not actually report) H.R. 5508, extending benefits of the Veterans' Preference Act to certain mothers of veterans (p. D608).

HOUSE

8. CATTLE GRUBS. Passed without amendment S. 1249 authorizing additional research into problems and methods of eradicating cattle grubs (pp. 7559-60). A similar bill, H.R. 1043, was laid on the table. The Senate bill will now be sent to the President.
9. FORESTS. Passed as reported S. 1037 to authorize revision of the boundaries of the Caribou National Forest, Idaho (pp. 7567-8).
10. MINERALS. Passed as reported H.R. 5048 directing the Secretary of Agriculture to convey to present owners of the surface, mineral rights acquired from the Missouri Defense Relocation Association (p. 7576).
11. VIRGIN ISLANDS. Rep. Crawford, Mich., discussed the need for developing these islands (pp. 7549-50).
12. HOUSING. Rep. O'Toole, N. Y., spoke in favor of the Taft-Ellender-Wagner housing bill (pp. 7550-1).
13. LONG-RANGE FARM PROGRAM. Agreed to resolutions providing for the printing of "Long-Range Agricultural Policy-A Study of Selected Trends and Factors Relative to the Long-Range Prospect for American Agriculture" (p. 7553).
14. RECLAMATION. Passed as reported H.R. 3194, to make various amendments in the Reclamation Project Act of 1939 (pp. 7554-5).
15. TARIFF. On objections of Reps. Smith of Wisc., Murray of Wisc., and Andersen of Minn., H.R. 5612, to provide for free importation of evergreen Christmas trees, was stricken from the consent calendar (p. 7556).
16. PERSONNEL. Passed as reported H.R. 5964, to grant time to Government employees to participate in funerals for deceased members of the armed forces who are returned to the U. S. for burial, without loss of pay or deduction from annual leave (p. 7558).

Passed without amendment S. 1493, to require Government agencies to comply with Civil Service Commission orders under Sec. 19 of the Veterans Preference Act (p. 7558). This bill will now be sent to the President.

Passed without amendment H.R. 4917, to provide further benefits for certain employees of the U. S. who are veterans of World War II and lost opportunity for probational civil-service appointments by reason of their service in the armed forces of the U. S., and who, due to service-connected disabilities, are unable to perform the duties of the positions for which examinations were taken (p. 7558).

Passed as reported H.R. 6454, to provide retirement annuities for certain Federal employees who have had 20 years' service in investigating, apprehending, or detention of persons suspected or convicted of offenses against the U. S. (p. 7562).

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, notwithstanding the provisions of the Federal-Aid Road Act approved July 11, 1916 (39 Stat. 355), and all acts amendatory thereof and supplementary thereto, the Commissioner of Public Roads is hereby authorized and directed to allocate from any funds available, or that may become available for allocation to the State of Indiana the sum of \$48,276 to the county of Grant, State of Indiana, in payment of one-half the cost of a bridge across the Mississinewa River in East Thirty-eighth Street in the city of Marion, Ind., constructed by the county of Grant. *Provided*, That the specifications and construction of said bridge shall meet the established requirements of the Public Roads Administration for such structures.

With the following committee amendments:

Page 1, line 7, after the word "available", insert "under the Federal-Aid Road Act of 1944, as amended."

At the end of the bill insert a comma and "and that said bridge is located on an approved secondary highway."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TRANSFER JURISDICTION OVER SCHOOL BUILDINGS

The Clerk called the bill (H. R. 5433) to transfer jurisdiction over certain school buildings in Vanport, Oreg., to the Federal Works Administrator and to authorize an appropriation to rebuild a school building in Vanport, Oreg., which was destroyed by fire.

Mr. CUNNINGHAM. Mr. Speaker, I am advised by the author of the bill that the purpose of it has now passed, and therefore ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

TIME CREDITABLE FOR PROMOTION IN THE POSTAL SERVICE

The Clerk called the bill (S. 1082) to credit certain service performed by employees of the postal service who are transferred from one position to another within the service for purposes of determining eligibility for promotion.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That any employee of the postal service who is in a position for which salary grades are provided in the act entitled "An act to reclassify the salaries of postmasters, officers, and employees of the postal service; to establish uniform procedures for computing compensation; and for other purposes," approved July 6, 1945, and who transfers or is transferred from such position to any other position in the postal service for which salary grades are provided by such act, shall, for purposes of establishing eligibility for promotion in the position to which he transfers or is transferred, (1) in the case of an employee in a position for which automatic promotions are provided, be credited with all satisfactory service since his last automatic promotion and (2) in the case of an employee in a position for which automatic promotions are not provided, be credited with all satisfactory service, not ex-

ceeding 1 year of such service, performed in such position.

SEC. 2. Any such employee shall be eligible for promotion within the salary grades of his new position after completing an amount of service in such position, which when added to the prior service for which credit is provided by the first section of this act, gives such employee sufficient service for promotion in his new position.

SEC. 3. As used in this act, the term "employee" includes postmasters, officers, supervisors, special-delivery messengers in offices of the first class, and all other employees paid from field appropriations of the postal service for whom salary grades are provided in the act entitled "An act to reclassify the salaries of postmasters, officers, and employees of the postal service; to establish uniform procedures for computing compensation; and for other purposes," approved July 6, 1945.

SEC. 4. This act shall be applicable in determining eligibility for promotion of any employee who has been transferred from one position of the postal service to another prior to the date of enactment of this act and who has not received a promotion in his new position since such transfer, except that no employee shall be promoted because of such application prior to the first day of the first quarter which begins after the date of enactment of this act.

SEC. 5. Any employee in the postal service whose services are utilized in a dual capacity shall be paid for service rendered in that capacity at the grade and rate of compensation authorized for the position to which he is temporarily assigned, and credit shall be allowed for all previous continuous service as a regular or substitute postal employee.

SEC. 6. The provisions of sections 1, 2, 3, and 4 of this act shall not apply to employees who transfer or are transferred to the position of post-office inspector or to the position of railway postal clerk.

With the following committee amendment:

Page 3, line 8, strike out lines 8 to 13, inclusive, and insert the following:

"SEC. 5. The rate of compensation of any employee in the postal service whose services are utilized in a dual capacity shall not be reduced as a result of employment in such capacity: *Provided*, That this section shall not apply to the rural delivery service."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CARE AND TREATMENT FOR VOLUNTARY ARMED SERVICE MEMBERS

The Clerk called the bill (S. 1470) to amend the act entitled "An act to make provision for the care and treatment of members of the National Guard, Organized Reserves, Reserve Officers' Training Corps, and Citizens' Military Training Camps who are injured or contract diseases while engaged in military training, and for other purposes," approved June 15, 1936, as amended, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the act entitled "An act to make provision for the care and treatment of members of the National Guard, Organized Reserve, Reserve Officers' Training Corps, and Citizens' Military Training Camps who are injured or contract disease while engaged in military training, and for other purposes", approved

June 15, 1936 (49 Stat. 1507), as amended (act July 15, 1939, 53 Stat. 1042; sec. 5, act October 14, 1940, 54 Stat. 1137; 32 U. S. C. 164d; 10 U. S. C. 455e), is amended by adding at the end thereof the following new section:

"SEC. 2. As used in this act, the term 'in time of peace' shall include that period after September 2, 1945 (the date of formal surrender by Japan), which is prior to the first day on which the United States is, by action of the Congress, or the President, or both, no longer engaged in any war in which the United States is engaged on the date of enactment of this section.

"SEC. 3. The foregoing amendment shall be applicable to the Department of the Air Force to the same extent as if enacted prior to the passage of the National Security Act of 1947."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMEND ARMY-NAVY MEDICAL SERVICES CORPS ACT OF 1947

The Clerk called the bill (H. R. 5983) to amend section 202 of title II of the Army-Navy Medical Services Corps Act of 1947, as amended, to remove the present restriction on appointments to the Navy Medical Service Corps.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 202 of title II of the Army-Navy Medical Services Corps Act of 1947, as amended, is hereby further amended to read as follows:

"SEC. 202. During the period that appointments to the Regular Navy may be made pursuant to section 5 of the act of April 18, 1946 (60 Stat. 92), appointments to the Medical Service Corps may be made in accordance with the provisions of the said act, in addition to appointments authorized by section 203 of this title."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

STATUE OF COMMODORE JOHN BARRY

The Clerk called the resolution (H. J. Res. 297) to increase the sum authorized to be appropriated for the presentation to Eire of a statue of Commodore John Barry.

There being no objection, the Clerk read the resolution, as follows:

Resolved, etc., That section 2 of the joint resolution approved June 10, 1941, which authorized the President to present to Eire on behalf of the people of the United States a statue of Commodore John Barry, is hereby amended by striking out "\$20,000" and inserting in lieu thereof "\$30,000."

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DISTRICT JUDGE FOR EASTERN DISTRICT OF PENNSYLVANIA

The Clerk called the bill (H. R. 5611) to provide for the appointment of one additional district judge for the eastern district of Pennsylvania.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the President is authorized to appoint, by and with the ad-

vice and consent of the Senate, one additional district judge for the eastern district of Pennsylvania.

SEC. 2. No successor shall hereafter be appointed to succeed the person who shall be appointed to be such additional judge unless such vacancy shall occur within 2 years after such appointment.

With the following committee amendments:

Page 1, line 5, after the period insert a colon and the words: "Provided, That the first vacancy occurring in said district shall not be filled."

Page 1, line 8, strike out line 8 and the remainder of the page.

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GRANTING EMPLOYEES TIME TO PARTICIPATE IN CERTAIN FUNERALS

The Clerk called the bill (H. R. 5964) to grant time to employees in the executive branch of the Government to participate, without loss of pay or deduction from annual leave, in funerals for deceased members of the armed forces returned to the United States for burial.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That employees in the executive branch of the Government shall be excused from duty, without loss of pay or deduction from their annual leave, for such time as may be necessary, but not in excess of 6 hours in any one day, to enable them to participate in funeral ceremonies for members of the armed forces of the United States who lost their lives in World War II and whose remains are returned from abroad for final interment in the United States.

With the following committee amendments:

Page 1, line 3 after "Government", insert "who are veterans of the Spanish-American War, World War I, or World War II."

Line 5, strike out "shall" and insert "may."

Line 7, strike out "6" and insert "4."

Line 8, after "participate", insert "as active pallbearers or as members of firing squads or guards of honor."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDMENT OF VETERANS' PREFERENCE ACT

The Clerk called the bill (S. 1493) to amend section 19 of the Veterans' Preference Act of June 27, 1944 (58 Stat. 387), and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the final period in section 19 of the Veterans' Preference Act of 1944 (58 Stat. 387), be changed to a semicolon and that the following be added thereto: "Provided, That any recommendation by the Civil Service Commission, submitted to any Federal agency, on the basis of the appeal of any preference eligible, employee or former employee, shall be complied with by such agency."

The bill was ordered to be read a third time, was read the third time, and passed,

and a motion to reconsider was laid on the table.

FURTHER BENEFITS FOR CERTAIN VETERAN EMPLOYEES

The Clerk called the bill (H. R. 4917) to provide further benefits for certain employees of the United States who are veterans of World War II and lost opportunity for probationary civil-service appointments by reason of their service in the armed forces of the United States, and who, due to service-connected disabilities, are unable to perform the duties of the positions for which examinations were taken.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 1 of the act of July 31, 1946 (60 Stat. 749; 5 U. S. C. sec. 645a), is hereby amended by adding thereto the following:

"(c) Any person within the terms of this section, who, due to a disability incurred because of military service in World War II, is unable to perform the duties of the position designated by him at the time of taking the examination for appointment thereto, may upon written request at any time have his name entered upon any list of eligibles for any position for which a like examination is required and such entry shall be made without any loss of seniority or other rights of eligibility conferred by this section: *Provided, however*, That this act shall not be construed to extend the period of eligibility which such person would have otherwise had."

Mr. KEATING. Mr. Speaker, this bill is in every respect deserving of favorable consideration. Sponsored by the distinguished chairman of the Committee on Post Office and Civil Service, its terms are identical with those embraced in a measure which I introduced on June 23 last year, except that the applicability of my bill was limited to postal workers, whereas this covers any civil-service employee. I, of course, favor the broadening of its beneficial purposes.

My attention was drawn to a situation calling for remedial action by a case outlined to me by one of my constituents.

Back in 1941, he took the examination for a postal carrier and received a rating of 93 percent. Later, he enlisted in the Army and was badly wounded in Germany, with the result that he now has a 70-percent disability.

In March, 1946, he was given a probationary appointment as a substitute carrier, but found that he was not physically able to do this work, which involved, of course, carrying heavy sacks of mail and a great deal of leg work. Consequently, in March of last year, he was reassigned to the position of substitute clerk.

The difficulty is, however, that despite his high rating on the examination, he has lost all of the important seniority rights which he would have had on the carrier list, since, under present law, his name was removed from that list when he received the clerk appointment. This, in the face of the fact that the original examination which this young man took was one given for either the position of carrier or clerk and was identical in all respects for both positions.

Accordingly, here was a case of a veteran who was badly wounded in the serv-

ice of his country, who lay in an overseas hospital for many weary months, and who, upon returning to his country to take up his job after convalescence, found he would have to take his place far behind those who had received much lower marks in the same examination.

The measure, originally advocated by me and now before us, would amend the civil-service law to provide that any civil-service employee who, due to a disability incurred in military service, is unable to perform the duties of a position designated by him at the time of taking the examination may have his name entered on any list of eligibles for any position for which the same examination is required. It further provides that such action shall be taken without any loss of seniority or other rights of eligibility conferred by the civil-service law.

Good faith and fairness to those Federal employees whose bodies were broken in the service of their country requires favorable action on this legislation.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ADMINISTRATOR OF VETERANS' AFFAIRS

The Clerk called the bill (H. R. 6448) to direct the Administrator of Veterans' Affairs to convey certain land in Tennessee to the city of Johnson City.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Administrator of Veterans' Affairs is hereby directed to convey to the city of Johnson City, a municipal corporation of the State of Tennessee, without consideration and on behalf of the United States, a tract of land located in the ninth civil district of Washington County, Tennessee, on the north side of United States Highway 11E approximately 1 mile west of the corporate boundary of Johnson City, Tenn., and more particularly described, as follows:

Beginning at the northwest corner of the property of the United States of America now under the jurisdiction of the Veterans' Administration, known as Veterans' Administration center, Mountain Home, Tennessee. This beginning point is also the northeast corner of property transferred from the Veterans' Administration to the Tennessee Valley Authority by Executive Order Numbered 9771, dated August 24, 1946; thence north eighty-six degrees fifty-six minutes east nine hundred and eight-tenths feet; thence south one degree thirty minutes west three hundred and seventy-two feet; thence south eighty-six degrees five minutes east five hundred and ninety-one feet; thence south four degrees fifteen minutes west one hundred and forty-three and five-tenths feet to the north side of United States Highway 11E; thence with said highway south sixty-nine degrees forty minutes west one thousand six hundred and two feet to corner of said property transferred by Veterans' Administration to Tennessee Valley Authority by Executive Order 9771 aforesaid; thence north one degree thirty minutes east for a distance of one thousand and sixty-three and three-tenths feet to the beginning.

SEC. 2. It shall be made a condition of the deed of conveyance that the tract of land so conveyed shall be maintained by such municipal corporation only for fairground or other recreational purposes. If such municipal corporation ceases to maintain such tract for such purposes or attempts to alienate all or any part of such tract, title thereto shall revert to the United States.

[PUBLIC LAW 741—80TH CONGRESS]

[CHAPTER 604—2D SESSION]

[S. 1493]

AN ACT

To amend section 19 of the Veterans' Preference Act of June 27, 1944 (58 Stat. 387), and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the final period in section 19 of the Veterans' Preference Act of 1944 (58 Stat. 387), be changed to a semicolon and that the following be added thereto: "Provided, That any recommendation by the Civil Service Commission, submitted to any Federal agency, on the basis of the appeal of any preference eligible, employee or former employee, shall be complied with by such agency."

Approved June 22, 1948.

